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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,425	11/01/2000	Christopher Scott Stenta	AD6647 US NA	1386

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 12/20/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/703,425	STENTA	
	Examiner	Art Unit	
	Dang D Le	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-9, 11-19 is/are rejected.
- 7) ☐ Claim(s) 10 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2,3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains the word "comprising" in line 1. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claims 10, 11 and 20 are objected to because of the following informalities:
 - Claims 10 and 20, line 2 of the claims, delete "and".
 - Claim 11, line 2 of the claim, insert -- : -- after "comprising". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites the limitations "the first bracket" in line 1 and "the second bracket" in line 2. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Mishima (U.S. Patent No. 3,294,458).

Regarding claim 1, Mishima shows a bearing system (Figures 6 and 7) for use with a motor having a rotor shaft (24) and a rotor (54) rotating within an opening through a stator (55), comprising a bearing bracket (22) comprising a receptacle (21) surrounding a bearing (25-27) and supporting the bearing in fixed relation to the bracket, wherein the bracket (22) is adapted to be mounted on the motor (Figure 11) such that the opening in the bearing is disposed in the vicinity of an axis of the rotor shaft (24), and wherein the bracket (22) is sufficiently flexible (Figure 6) that the rotor shaft can deflect the bracket so that the bearing moves into alignment with an axis of the rotating shaft but the bracket is sufficiently rigid that the rotor is maintained in spaced relation from the stator (Figure 11) during operation of the motor. Also see column 4, line 27 to column 5, line 67.

Regarding claim 11, Mishima shows a motor (Figure 11) having a rotor shaft (24) and a rotor (54) rotating within an opening through a stator (55), having a bearing system (Figures 6 and 7) comprising:

- One or more bearings (25-27) each comprising an opening having at least one bearing surface, for maintaining a radial alignment of the rotor shaft, and
- One or more bearing brackets (22) each comprising a receptacle (21) surrounding the bearing and supporting the bearing in fixed relation,

- Wherein the brackets (22) are adapted to be mounted on the motor such that the openings in the bearings are disposed on opposite ends of the stator in the vicinity of an axis of the rotor shaft (Figure 11), and wherein the brackets are sufficiently flexible that the rotor shaft can deflect the brackets so that the bearings move into alignment with an axis of the rotating shaft (Figure 6) but the brackets are sufficiently rigid that the rotor is maintained in spaced relation from the stator during operation of the motor (Figure 11). Also see column 4, line 27 to column 5, line 67.

Regarding claims 2 and 12, it is noted that Mishima also shows the brackets (22) being resilient (column 4, lines 50-55).

Regarding claim 9, it is noted that Mishima also shows the bracket being provided with at least one ribbed post (Figure 11) complimentary to a ribbed socket, the post being adapted to be secured to the socket by interlocking between ribs of the post and ribs formed about a wall of the socket.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 4, 8, 13, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima in view of Henck (U. S. Patent No. 4,862,582).

Regarding claims 3 and 13, Mishima shows all of the limitations of the claimed invention except for at least a portion of the bracket being composed of an elastomeric material. The brackets of Mishima are made of metal.

However, Henck shows at least a portion of the bracket (24, 32) being composed of an elastomeric material (plastic) for the purpose of making a one-piece bracket.

Since Mishima and Henck are all from the same field of endeavor, the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make at least a portion of the bracket with an elastomeric material as taught by Henck for the purpose discussed above.

Regarding claims 4 and 14, it is noted that Henck also shows the bracket being composed of an elastomeric material.

Regarding claims 8 and 18, it is noted that Henck also shows the bearing bracket being insert molded about the bearing.

9. Claims 5, 6, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima in view of McGinley (U. S. Patent No. 1,220,991).

Regarding claims 5 and 15, Mishima shows all of the limitations of the claimed invention except for a rotation lock cooperating between the bearing and the receptacle to restrain the bearing against substantial rotation relative to the bracket.

However, McGinley shows a rotation lock (13) cooperating between the bearing (8) and the receptacle to restrain the bearing against substantial rotation relative to the bracket for the purpose of preventing rotation.

Since Mishima and McGinley are all from the same field of endeavor, the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to cooperate a rotation lock between the bearing and the receptacle to restrain the bearing against substantial rotation relative to the bracket as taught by McGinley for the purpose discussed above.

Regarding claims 6 and 16, it is noted that McGinley also shows the rotation lock comprising at least one flat on the bearing.

10. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima in view of Nutter (U. S. Patent No. 5,287,030).

Regarding claims 7 and 17, Mishima shows all of the limitations of the claimed invention except for the bearing being composed of a polymeric plastic and comprising a flange projecting radially from a hub.

However, Nutter shows the bearing (32) being composed of a polymeric plastic and comprising a flange projecting radially from a hub (Figure 6) for the purpose of avoiding the use of lubrication.

Since Mishima and Nutter are all from the same field of endeavor, the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the bearing with a polymeric plastic and a flange projecting radially from a hub as taught by Nutter for the purpose discussed above.

Allowable Subject Matter

11. Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claim 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. The following is a statement of reasons for the indication of allowable subject matter: the record of prior art does not show a bearing system comprising:

- A bracket which is provided with two posts and adapted to interlock with complimentary posts on a second bracket as shown in claims 10 and 20.
- A first bracket provided with at least one ribbed post and a second bracket provided with at least one ribbed socket complimentary to the post, the post being adapted to be secured in the socket by interlocking between ribs of the post and ribs of the socket as shown in claim 19.

Information on How to Contact USPTO

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
December 14, 2001

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Long & Li